

House File 607 - Enrolled

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HOUSE FILE 607

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AN ACT

RELATING TO EMERGENCY SERVICES PROVIDED TO RESIDENTS OF
CERTAIN TOWNSHIPS AND INCLUDING EFFECTIVE DATE AND
RETROACTIVE APPLICABILITY DATE PROVISIONS.

1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9

1 10 Section 1. Section 331.385, subsection 5, Code 2005, is
1 11 amended by striking the subsection and inserting in lieu
1 12 thereof the following:

1 13 5. a. Notwithstanding subsection 1, if as of July 1,
1 14 2006, a township has in force an agreement entered into
1 15 pursuant to chapter 28E for a city or another township to
1 16 provide fire protection service or fire protection service and
1 17 emergency medical service for the township, or if a township
1 18 is otherwise contracting with a city or another township for
1 19 provision to the township of fire protection service or fire
1 20 protection service and emergency medical service, the county
1 21 board of supervisors shall, for the fiscal year beginning July
1 22 1, 2007, and subsequent fiscal years, negotiate for and enter
1 23 into an agreement pursuant to chapter 28E providing for
1 24 continued fire protection service, or fire protection service
1 25 and emergency medical service, to the township, and shall
1 26 certify taxes for levy in the township, pursuant to section
1 27 331.424C, in amounts sufficient to meet the financial
1 28 obligations pertaining to the agreement.

1 29 b. This subsection applies to a county with a population
1 30 in excess of three hundred thousand. This subsection does not
1 31 prohibit a county with a population in excess of three hundred
1 32 thousand from also assuming the powers and duties of township
1 33 trustees in accordance with the provisions of subsections 1
1 34 through 4, for those townships in the county that are not
1 35 subject to paragraph "a".

2 1 Sec. 2. Section 331.424C, Code 2005, is amended to read as
2 2 follows:

2 3 331.424C EMERGENCY SERVICES FUND.

2 4 A county that is providing fire protection service or
2 5 emergency medical service to a township pursuant to section
2 6 331.385 shall establish an emergency services fund and may
2 7 certify taxes for levy in the township not to exceed ~~sixty and~~
~~three-fourths cents per one thousand dollars of the assessed~~
~~value of taxable property located in the township the amounts~~
2 10 authorized in section 359.43. The county has the authority to
2 11 use a portion of the taxes levied and deposited in the fund
2 12 for the purpose of accumulating moneys to carry out the
2 13 purposes of section 359.43, subsection 4.

2 14 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
2 15 immediate importance, takes effect upon enactment.

2 16 Sec. 4. RETROACTIVE APPLICABILITY. The section of this
2 17 Act that strikes section 331.385, subsection 5, Code 2005,
2 18 applies retroactively to January 1, 2005, and section 331.385,
2 19 subsection 5, Code 2005, is void and of no effect with regard
2 20 to township fire protection service or emergency medical
2 21 service agreements or contracts entered into on or after that
2 22 date.

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CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

2 33 I hereby certify that this bill originated in the House and
2 34 is known as House File 607, Eighty-first General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

3 5 Approved _____, 2005

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3 9 THOMAS J. VILSACK
3 10 Governor
